IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY
WRIT PETITION NO : 12835 of 1992

Between:

Surender S/o.Basaragappa, age 42 years
r/o.1-3-154/2 Rajendranagar
Mahabubnagar

..... PETITIONER

AND

1 Secretary to Government of A.P., Energy, Forests, Environment, Science and Technology (For.IV) Department, Secretariat, Hyderabad
2 The Principal Chief Conservator of Forests A.P., Hyderabad
3 Chief Conservator of Forest (W.L)A.P., Hyderabad
4 Conservator of Forests, Hyderabad Circle, Hyderabad
5 Divisional Forest Officer, Mahabubnagar, Mahabubnagar Dist
6 V.Shiva Reddy
O./o.L.N.Agency Raichur Road, Ashok Talkies
Near Mahabubnagar

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records and issue a writ of order or direction preferably in the nature of writ of mandamus and after calling for the records pertaining to order No.24929/92-H2, Dt.12/8/1992 issued by the second respondent and declare the same as illegal, arbitrary and unconstitutional and consequently direct the respondents to hand over the Ambassador Car No.AAU-7979 to the petitioner who is the highest tender of the above car and pass such other order.

For the Petitioner:MR.K.LAKSHMINARASIMHA, Advocate

For the Respondent Nos.1 to 5: GP FOR FORESTS

The Court made the following Order:

The cause in this writ petition does not survive requiring any further adjudication in view of the fact that the Forest Range Officer, Mahabubnagar had already released and handed over the possession of the Car bearing No.AAU-7979 to the highest bidder Sri V.Shiva Reddy, resident of Mahabubnagar on 01.10.1992. It is unnecessary to go into the question as to whether the petitioner at all could have been allowed to participate in the auction.

However, the respondents cannot be permitted to retain the Earnest Money Deposit amount deposited by the petitioner at the time of submitting his tender. The said amount is required to be refunded to the petitioner. The Earnest Money Deposit amount, if not refunded so far, shall be refunded to the petitioner within a period of eight weeks from the date of receipt of the copy of the order.

The writ petition is accordingly disposed of. No costs.

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(B.SUDERSHAN REDDY,J)

17.06.2004
bsv

To
1 Secretary to Government of A.P., Energy, Forests, Environment, Science and Technology (For.IV) Department, Secretariat, Hyderabad
2 The Principal Chief Conservator of Forests A.P., Hyderabad
3 Chief Conservator of Forest (W.L)A.P., Hyderabad
4 Conservator of Forests, Hyderabad Circle, Hyderabad
5 Divisional Forest Officer, Mahabubnagar, Mahabubnagar Dist
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